

REMARKS

Applicant would like to thank Examiner Doan for meeting with their representative, Jennifer Yancy, on August 5, 2008 to discuss the current claims of the application. Ms. Yancy demonstrated the differences between the prior art and the presently claimed invention. Specifically, the presently claimed invention includes teeth of a first comb that are wider than the spaces of a second comb and teeth from the second comb that are wider than the spaces of the first comb. This arrangement prevents the teeth from completely filling the spaces of the opposite comb. Only a portion of the teeth can fit into the spaces of the other comb. This type of hair clip is used such that they “interleave” in a configuration whereby some of the teeth of one comb overlay and others underlay the teeth of the other comb when biased towards one another. The unexpected benefit of this type of arrangement is that the hair clip provides a clamping action that holds sparse, thin, short and small clumps of strand of hair. Applicant has amended claim 10 to more precisely claim this beneficial feature.

Applicant has amended claim 10 to more precisely recite the features of the presently claimed invention. Support for this amendment is found in the specification and in the Figures (specifically FIGS. 7-11). Claim 13 was amended to be consistent with the amendments made to claim 10. Furthermore, paragraph [0033] was amended to include the features illustrated in the Figures to provide antecedent support in the specification for the claim amendments. Applicant submits that no new matter was added by this amendment.

Claims 10, 12-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson (USP 1,977,920). As explained to Examiner Doan, the hair clip according to the present invention includes teeth that are wider than the spaces of the opposite comb such that only a portion of the teeth can fit into the spaces of the opposite comb. The Robinson reference does not teach or suggest this type of arrangement for a hair clip. In fact, the Robinson reference clearly provides that the combs will either “overlay each other (Figure 5), or the teeth will intermesh (Figure 6)”. As shown in Fig.6 of the Robinson reference, the teeth of the combs can completely fill the spaces of the opposite comb. However, because of the size of the teeth and spaces of the presently claimed hair clip, this type of “intermesh” configuration is not possible with the presently claimed hair clip. The Examiner indicates that such a change in size as claimed by Applicant “would have involved a mere change in the size and shape of known components”. However, Applicant is not merely changing the size and shape of the components of the hair clip, but is providing a hair clip with beneficial properties that are unexpected in the prior art. The unexpected benefit of the claimed hair clip arrangement is that the hair clip provides a clamping action that holds sparse, thin, short and small clumps of strand of hair (see paragraph [0033] of the application). Since this feature is not disclosed or suggested in the prior art, Applicant submits that the claims of the present application are now in condition for allowance and requests reconsideration and allowance of the claims.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Robinson in view of Leslie (U.S. Design Pat. # D 483,522). Since claim 15 depends from claim 10, Applicant submits that Claim 15 is allowable for the reasons previously stated. Therefore, Applicant requests reconsideration and allowance of the claim.

The Examiner has stated that claims 16-18 are allowable over prior art of record.

For the foregoing reasons, Applicant submits that the application is now in condition for allowance and requests reconsideration and allowance of the application.

Respectfully submitted,

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